## CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on August 13, 2003 with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-

<u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

In re the application of

Inventor: William J. Boyle, et al.

Serial No. 09/897,295

Filed: June 29, 2001

For: DELIVERY AND RECOVERY SHEATHS FOR MEDICAL DEVICES Examiner: Unassigned

Group Art Unit: 3732

Client ID/Matter No. ACS-56001 (2636P)

August 13, 2003

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. § 1.56 and the procedure set forth in 37 C.F.R. §§ 1.97 and 1.98, the Applicants' submit for the Examiner's consideration the attached PTO Form PTO/SB/08A. A copy of each of the listed references also is enclosed.

The cited documents were brought to the Applicants' attention in a Search Report for an international application pending under the Patent Cooperation Treaty which asserts priority to U.S. Serial No. 09/897,295 ("295 application"), which Search Report was communicated on July 21, 2003, not more than three months ago.

The references cited on the Form PTO/SB/08A may not constitute prior art to the subject matter of the invention claimed in the pending application. The documents therefore are disclosed here in an abundance of caution, in light of 37 C.F.R. § 1.56.

The Applicants' respectfully request the Examiner to consider this Information Disclosure Statement. As the Applicants' have not received a first Office action for the `295 application, this Information Disclosure Statement is submitted pursuant to 37 C.F.R. § 1.97(b)(3) and it is believed that no fee is due. However, in the event that this paper should cross in the mail with a first Office action, the Applicants' hereby request the Office to consider the Information Disclosure Statement.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

Rv

Thomas H. Majcher

Registration No. 31,119

Fulwider Patton Lee & Utecht, LLP Howard Hughes Center 6060 Center Drive, Tenth Floor Los Angeles, California 90045

Telephone: (310) 824-5555 Facsimile: (310) 824-9696

Customer No. 24201

21804.1

PTO/SB/21 (05-03)

/21 (05-03) 10651-0031

AUG 1 8 7000 SE

Approved for use through 04/30/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays availed OMB control number.

4+

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/897,295
Filing Date	June 29, 2001
First Named Inventor	William J. Boyle, et al.
Art Unit	3732
Examiner Name	Unassigned
Attorney Docket Number	ACS-56001

ENCLOSURES (check all that apply)							
Fee Transmittal Form		Drawing(s)			After Allowance communication to Group		
Fee A	Attached	Licensing-related Papers			Appeal Communion of Appeals and Inf		ard
Amendment	/ Response	Petition			Appeal Communic (Appeal Notice, E		
Afte	r Final		o Convert a al Application		Proprietary Inform	nation	
Affid	lavits/declaration(s)		Attorney, Revocation for Correspondence		Status Letter		
Extension of	Time Request	Terminal	Disclaimer	X	Other Enclosure(s) (please identify below):		
Express Abandonment Request		Request for Refund			1. One Reference 2. Return Postca	e rd	
Information Disclosure Statement		CD, Num	ber of CD(s)		:		
Certified Cop	•	Remarks			<u>.</u> ω		<u></u>
Response to Missing Parts/ Incomplete Application			1		3700 MAIL K	AUG 20	RECEIVED
Response to Missing Parts under 37 CFR 1.52 or 1.53					A	0	JAI
unde	SF 37 GF R 1.32 GF 1.33				ス	2003	<u>'5</u>
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm	FULWIDER PATTO	N LEE & UTECI	HT, LLP		:		٠
or Individual name Thomas H. Majcher, Registration No. 31,119							
Signature (hus 1 hus							
Date	August 13, 2003	7.					

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the

Typed or printed name	Thomas H. Majcher, Reg. No. 31,119		
Signature	This II my	Date	August 13, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Appropriate or use through 07/31/2003. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO Application Number 09/897,295 INFORMATION DISCLOSURE Filing Date June 29, 2001 STATEMENT BY APPLICANT First Named Inventor William J. Boyle, et al. Art Unit 3732 (use as many sheets as necessary) **Examiner Name** Unassigned of **Attorney Docket Number** ACS-56001 (2636P)

			U.S. PAT	ENT DOCUMENTS	
Examiner Initials	Cite No.1	Document Number  Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6,039,744	03/21/2000	Simon J. Forber	
		US-			
		US-			
		US-			-
		US-			
		US-			
		US-			
		US-			-
		US-			-1
		US-			
		US-			2 5
		US-			) ()
		US-			3 D
		US-			A V
		US-			Paga F
		US-			RC
		US-			0.3
		US-			
		US-			
		US-			

	FOREIGN PATENT DOCUMENTS							
Examiner Cite Initials No.1	Cito	Foreign Patent Document			Publication Date	Name of Patentee or	Pages, Columns, Lines,	П
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		<u> </u>						$\Box$
								П
	·							

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 8 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.